

## **EXHIBIT 5**

Message

---

**From:** Devora Mondrowitz [devora@reliableabstract.net]  
**Sent:** 11/21/2017 4:33:41 PM  
**To:** Brad Bassuk [bbassuk@westermanllp.com]; Murray Schneier [MSchneier@EisemanLevine.com]  
**CC:** Rivky Sicherman [rivky@reliableabstract.net]; 'Sam Rottenberg' [sam.rottenberg@gmail.com]  
**Subject:** RE: 840 Atlantic Avenue  
**Attachments:** image001.jpg; Acris Memo of Lease.pdf

Please see attached.

Thanks,  
Devora Mondrowitz  
Reliable Abstract Co., LLC  
266 Broadway, Suite 304  
Brooklyn, NY 11211  
P: 718.438.0786  
E: [devora@reliableabstract.net](mailto:devora@reliableabstract.net)

---

**From:** Brad Bassuk [mailto:bbassuk@westermanllp.com]  
**Sent:** Tuesday, November 21, 2017 11:31 AM  
**To:** Devora Mondrowitz <devora@reliableabstract.net>; Murray Schneier <MSchneier@EisemanLevine.com>  
**Cc:** Rivky Sicherman <rivky@reliableabstract.net>; 'Sam Rottenberg' <sam.rottenberg@gmail.com>  
**Subject:** RE: 840 Atlantic Avenue

Devora,

Please revise the consideration to 7 million instead of 10 million and send revised ACRIS forms asap.

---

**From:** Devora Mondrowitz [mailto:devora@reliableabstract.net]  
**Sent:** Tuesday, November 21, 2017 11:13 AM  
**To:** Brad Bassuk; Murray Schneier  
**Cc:** Rivky Sicherman; 'Sam Rottenberg'  
**Subject:** RE: 840 Atlantic Avenue

Please provide his SSN

Thanks,  
Devora Mondrowitz  
Reliable Abstract Co., LLC  
266 Broadway, Suite 304  
Brooklyn, NY 11211  
P: 718.438.0786  
E: [devora@reliableabstract.net](mailto:devora@reliableabstract.net)

**Exhibit**  
**P5**

---

**From:** Brad Bassuk [mailto:bbassuk@westermanllp.com]  
**Sent:** Tuesday, November 21, 2017 11:09 AM  
**To:** Devora Mondrowitz <[devora@reliableabstract.net](mailto:devora@reliableabstract.net)>; Murray Schneier <[MSchneier@EisemanLevine.com](mailto:MSchneier@EisemanLevine.com)>  
**Cc:** Rivky Sicherman <[rivky@reliableabstract.net](mailto:rivky@reliableabstract.net)>; 'Sam Rottenberg' <[sam.rottenberg@gmail.com](mailto:sam.rottenberg@gmail.com)>  
**Subject:** RE: 840 Atlantic Avenue

Tax id # for M.M.B. Associates is [REDACTED] Grantor name is Anthony Musto.



Brad I. Bassuk, Esq.  
Westerman Ball Ederer Miller Zucker & Sharfstein, LLP  
1201 RXR Plaza, Uniondale, New York 11556  
Tel.: 516-622-9200 ext. 355  
Fax.: 516-622-9212  
E-mail: [bbassuk@westermanllp.com](mailto:bbassuk@westermanllp.com)  
[www.westermanllp.com](http://www.westermanllp.com)



Please consider the environment before printing this email.

**PLEASE TAKE NOTICE:** The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you receive this transmission in error, please contact the sender immediately and delete the material from any computer.

**IRS Circular 230 Disclosure:** To ensure compliance with requirements imposed by the IRS, we inform you that any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (a) avoiding tax-related penalties under federal, state or local tax law or (b) promoting, marketing or recommending to another party any transaction or matter addressed herein.

---

**From:** Devora Mondrowitz [<mailto:devora@reliableabstract.net>]  
**Sent:** Tuesday, November 21, 2017 10:33 AM  
**To:** Murray Schneier  
**Cc:** Rivky Sicherman; Brad Bassuk; 'Sam Rottenberg'  
**Subject:** RE: 840 Atlantic Avenue

Please find Acris forms for the memo of lease attached hereto.

Thanks,  
Devora Mondrowitz  
Reliable Abstract Co., LLC  
266 Broadway, Suite 304  
Brooklyn, NY 11211  
P: 718.438.0786  
E: [devora@reliableabstract.net](mailto:devora@reliableabstract.net)

---

**From:** Murray Schneier [<mailto:MSchneier@EisemanLevine.com>]  
**Sent:** Tuesday, November 21, 2017 10:28 AM  
**To:** Devora Mondrowitz <[devora@reliableabstract.net](mailto:devora@reliableabstract.net)>  
**Cc:** Rivky Sicherman <[rivky@reliableabstract.net](mailto:rivky@reliableabstract.net)>; Brad Bassuk <[bbassuk@westermanllp.com](mailto:bbassuk@westermanllp.com)>; 'Sam Rottenberg' <[sam.rottenberg@gmail.com](mailto:sam.rottenberg@gmail.com)>  
**Subject:** RE: 840 Atlantic Avenue

Yes.

Murray Schneier  
Eiseman Levine Lehrhaupt & Kakoyiannis  
805 Third Avenue

New York, New York 10022

Phone: 212-752-1000

fax: 212-355-4608

email: [mschneier@eisemanlevine.com](mailto:mschneier@eisemanlevine.com)

\*\*\*\*\*Important Notice\*\*\*\*\* This electronic mail is intended only for the use of the addressee(s) named herein and may contain legally privileged and confidential information. If you are not the intended recipient of this electronic mail, you are hereby notified that any dissemination, distribution or copying of this electronic mail is strictly prohibited. If you have received this electronic mail in error, please immediately notify us by return electronic mail or telephone and delete this electronic mail from your system. Thank you.

---

**From:** Devora Mondrowitz [<mailto:devora@reliableabstract.net>]

**Sent:** Tuesday, November 21, 2017 10:26 AM

**To:** Murray Schneier <[MSchneier@EisemanLevine.com](mailto:MSchneier@EisemanLevine.com)>

**Cc:** Rivky Sicherman <[rivky@reliableabstract.net](mailto:rivky@reliableabstract.net)>

**Subject:** RE: 840 Atlantic Avenue

Please find acris for ground lease attached hereto. Will you be recording a memo of lease too?

Thanks,

Devora Mondrowitz

Reliable Abstract Co., LLC

266 Broadway, Suite 304

Brooklyn, NY 11211

P: 718.438.0786

E: [devora@reliableabstract.net](mailto:devora@reliableabstract.net)

---

**From:** Rivky Sicherman

**Sent:** Tuesday, November 21, 2017 10:11 AM

**To:** Devora Mondrowitz <[devora@reliableabstract.net](mailto:devora@reliableabstract.net)>

**Subject:** Fwd: 840 Atlantic Avenue

Sent from my iPhone

---

**From:** Murray Schneier <[MSchneier@EisemanLevine.com](mailto:MSchneier@EisemanLevine.com)>

**Sent:** Tuesday, November 21, 2017 10:10:07 AM

**To:** [chany@reliableabstract.com](mailto:chany@reliableabstract.com); Rivky Sicherman

**Subject:** 840 Atlantic Avenue

We need the acris forms done asap for the ground lease transaction.

This is holding up our deal.

The fmV is \$10 million, so state transfer tax is \$40,000 and no NYC tax on ground leases but have to fill out form.

Please call me when you are in.

Thanks,

Murray

Murray Schneier

Eiseman Levine Lehrhaupt & Kakoyiannis

805 Third Avenue

New York, New York 10022

Phone: 212-752-1000

fax: 212-355-4608

email: [mschneier@eisemanlevine.com](mailto:mschneier@eisemanlevine.com)

\*\*\*\*\*Important Notice\*\*\*\*\* This electronic mail is intended only for the use of the addressee(s) named herein and may contain legally privileged and confidential information. If you are not the intended recipient of this electronic mail, you are hereby notified that any dissemination, distribution or copying of this electronic mail is strictly prohibited. If you have received this electronic mail in error, please immediately notify us by return electronic mail or telephone and delete this electronic mail from your system. Thank you.



# AFFIDAVIT OF COMPLIANCE WITH SMOKE DETECTOR REQUIREMENT FOR ONE- AND TWO-FAMILY DWELLINGS

State of New York }  
County of } SS.:

The undersigned, being duly sworn, depose and say under penalty of perjury that they are the grantor and grantee of the real property or of the cooperative shares in a cooperative corporation owning real property located at

547 VANDERBILT AVENUE

Street Address Unit/Apt.

BROOKLYN

Borough

New York,

1122

Block

1

Lot

(the "Premises");

That the Premises is a one or two family dwelling, or a cooperative apartment or condominium unit in a one- or two-family dwelling, and that installed in the Premises is an approved and operational smoke detecting device in compliance with the provisions of Article 6 of Subchapter 17 of Chapter 1 of Title 27 of the Administrative Code of the City of New York concerning smoke detecting devices;

That they make affidavit in compliance with New York City Administrative Code Section 11-2105 (g). (The signatures of at least one grantor and one grantee are required, and must be notarized).

Name of Grantor (Type or Print)

Name of Grantee (Type or Print)

Signature of Grantor

Signature of Grantee

Sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

These statements are made with the knowledge that a willfully false representation is unlawful and is punishable as a crime of perjury under Article 210 of the Penal Law.

**NEW YORK CITY REAL PROPERTY TRANSFER TAX RETURNS FILED ON OR AFTER FEBRUARY 6th, 1990, WITH RESPECT TO THE CONVEYANCE OF A ONE- OR TWO-FAMILY DWELLING, OR A COOPERATIVE APARTMENT OR A CONDOMINIUM UNIT IN A ONE- OR TWO-FAMILY DWELLING, WILL NOT BE ACCEPTED FOR FILING UNLESS ACCOMPANIED BY THIS AFFIDAVIT.**

**SEE ATTACHED PAGE FOR ADDITIONAL APPLICABLE PROPERTIES**

2017112100117101

VA 021574

**Applicable properties compliant with the  
Smoke Detector requirement**

Street Address	Unit/Apt	Borough	Block	Lot
N/A PACIFIC STREET		BROOKLYN	1122	68
847 PACIFIC STREET		BROOKLYN	1122	71



The City of New York  
Department of Environmental Protection  
Bureau of Customer Services  
59-17 Junction Boulevard  
Flushing, NY 11373-5108

## Customer Registration Form for Water and Sewer Billing

### Property and Owner Information:

- (1) Property receiving service: BOROUGH: BROOKLYN BLOCK: 1122 LOT: 1
- (2) Property Address: 547 VANDERBILT AVENUE, BROOKLYN, NY 11238
- (3) Owner's Name: VANDERBILT ATLANTIC HOLDINGS LLC
- Additional Name:

### Affirmation:



Your water & sewer bills will be sent to the property address shown above.

### Customer Billing Information:

#### Please Note:

- A. Water and sewer charges are the legal responsibility of the owner of a property receiving water and/or sewer service. The owner's responsibility to pay such charges is not affected by any lease, license or other arrangement, or any assignment of responsibility for payment of such charges. Water and sewer charges constitute a lien on the property until paid. In addition to legal action against the owner, a failure to pay such charges when due may result in foreclosure of the lien by the City of New York, the property being placed in a lien sale by the City or Service Termination.
- B. Original bills for water and/or sewer service will be mailed to the owner, **at the property address or to an alternate mailing address**. DEP will provide a duplicate copy of bills to one other party (such as a managing agent), however, any failure or delay by DEP in providing duplicate copies of bills shall in no way relieve the owner from his/her liability to pay all outstanding water and sewer charges. Contact DEP at (718) 595-7000 during business hours or visit [www.nyc.gov/dep](http://www.nyc.gov/dep) to provide us with the other party's information.

### Owner's Approval:

The undersigned certifies that he/she/it is the owner of the property receiving service referenced above; that he/she/it has read and understands Paragraphs A & B under the section captioned "Customer Billing Information"; and that the information supplied by the undersigned on this form is true and complete to the best of his/her/its knowledge.

Print Name of Owner:

Signature: \_\_\_\_\_ Date (mm/dd/yyyy)

Name and Title of Person Signing for Owner, if applicable:

**SEE ATTACHED PAGE FOR ADDITIONAL APPLICABLE PROPERTIES**





The City of New York  
Department of Environmental Protection  
Bureau of Customer Services  
59-17 Junction Boulevard  
Flushing, NY 11373-5108

## Customer Registration Form for Water and Sewer Billing

---

Borough	Block	Lot	Street	City	State	Zip
BROOKLYN	1122	68	N/A PACIFIC STREET	NY	NY	00000
BROOKLYN	1122	71	847 PACIFIC STREET	NY	NY	11238

201711210011710105

VA 021577

**REAL PROPERTY TRANSFER TAX RETURN**

(Pursuant to Title 11, Chapter 21, NYC Administrative Code)

▲ DO NOT WRITE IN THIS SPACE ▲  
FOR OFFICE USE ONLY**GRANTOR**

● Name **M.M.B. ASSOCIATES, LLC**

● Grantor is a(n): ☐ individual ☐ partnership ☐ corporation ☒ single member LLC ☐ multiple member LLC (see instructions) ☐ other \_\_\_\_\_ Telephone Number \_\_\_\_\_

● Permanent mailing address after transfer (number and street) **C/O CROSSTOWN COMPANIES, 97-77 QUEENS BOULEVARD, S**

● City and State **REGO PARK, NY** Zip Code **11374**

● Single member's name if grantor is a single member LLC **ANTHONY MUSTO**

SOCIAL SECURITY NUMBER

OR

EMPLOYER IDENTIFICATION NUMBER

SINGLE MEMBER EIN OR SSN

**GRANTEE**

● Name **VANDERBILT ATLANTIC HOLDINGS LLC**

● Grantee is a(n): ☐ individual ☐ partnership ☐ corporation ☒ single member LLC ☐ multiple member LLC (see instructions) ☐ other \_\_\_\_\_ Telephone Number \_\_\_\_\_

● Permanent mailing address after transfer (number and street) **390 BERRY STREET, SUITE 201**

● City and State **BROOKLYN, NY** Zip Code **11249**

● Single member's name if grantee is a single member LLC **SIMON DUSHINSKY**

SOCIAL SECURITY NUMBER

OR

EMPLOYER IDENTIFICATION NUMBER

SINGLE MEMBER EIN OR SSN

**PROPERTY LOCATION**

LIST EACH LOT SEPARATELY. ATTACH A RIDER IF ADDITIONAL SPACE IS REQUIRED

Address (number and street)	Apt. No.	Borough	Block	Lot	# of Floors	Square Feet	Assessed Value of Property
547 VANDERBILT AVENUE		BROOKLYN	1122	1	1	3,760	404,550.00
N/A PACIFIC STREET		BROOKLYN	1122	68	0	1	31,500.00

See Attachment for additional BBL

● DATE OF TRANSFER TO GRANTEE: **11/21/2017** ● PERCENTAGE OF INTEREST TRANSFERRED: **100** %

**CONDITION OF TRANSFER. See Instructions**

● Check (✓) all of the conditions that apply and fill out the appropriate schedules of this return. Additionally, Schedules 1 and 2 must be completed for all transfers.

- |   |  |
|---|--|
| <p>a. <input checked="" type="checkbox"/> Arms length transfer</p> <p>b. <input type="checkbox"/> Transfer in exercise of option to purchase</p> <p>c. <input type="checkbox"/> Transfer from cooperative sponsor to cooperative corporation</p> <p>d. <input type="checkbox"/> Transfer by referee or receiver (complete Schedule A)</p> <p>e. <input type="checkbox"/> Transfer pursuant to marital settlement agreement or divorce decree (complete Schedule I)</p> <p>f. <input type="checkbox"/> Deed in lieu of foreclosure (complete Schedule C)</p> <p>g. <input type="checkbox"/> Transfer pursuant to liquidation of an entity (complete Schedule D)</p> <p>h. <input type="checkbox"/> Transfer from principal to agent, dummy, strawman or conduit or vice-versa (complete Schedule E)</p> <p>i. <input type="checkbox"/> Transfer pursuant to trust agreement or will (attach a copy of trust agreement or will)</p> <p>j. <input type="checkbox"/> Gift transfer not subject to indebtedness</p> <p>k. <input type="checkbox"/> Gift transfer subject to indebtedness</p> <p>l. <input type="checkbox"/> Transfer to a business entity in exchange for an interest in the business entity (complete Schedule F)</p> <p>m. <input type="checkbox"/> Transfer to a governmental body</p> <p>n. <input type="checkbox"/> Correction deed</p> | <p>o. <input type="checkbox"/> Transfer by or to a tax exempt organization (complete Schedule G)</p> <p>p. <input type="checkbox"/> Transfer of property partly within and partly without NYC</p> <p>q. <input type="checkbox"/> Transfer of successful bid pursuant to foreclosure</p> <p>r. <input type="checkbox"/> Transfer by borrower solely as security for a debt or a transfer by lender solely to return such security</p> <p>s. <input type="checkbox"/> Transfer wholly or partly exempt as a mere change of identity or form of ownership. (Complete Schedule M)</p> <p>t. <input type="checkbox"/> Transfer to a REIT or to a corporation or partnership controlled by a REIT. (Complete Schedule R)</p> <p>u. <input type="checkbox"/> Other transfer in connection with financing (describe): _____</p> <p>v. <input type="checkbox"/> A grant or assignment of a leasehold interest in a tax-free NY area</p> <p>w. <input type="checkbox"/> Transfer to an HDFO or an entity controlled by an HDFO. (Complete Schedule L)</p> <p>x. _____ Reserved</p> <p>y. _____ Reserved</p> <p>z. <input checked="" type="checkbox"/> Other (describe) MEMORANDUM OF LEASE</p> |
|---|--|

## PROPERTY LOCATION

## ATTACHMENT

Address (number and street)	Apt. No.	Borough	Block	Lot	# of Floors	Square Feet	Assessed Value of Property
847 PACIFIC STREET		BROOKLYN	1122	71	0	1	109,350.00

201711210011710105

VA 021579



● TYPE OF PROPERTY (✓)	● TYPE OF INTEREST (✓)																																								
<ul style="list-style-type: none"> <li>a. <input type="checkbox"/> 1-3 family house</li> <li>b. <input type="checkbox"/> Individual residential condominium unit</li> <li>c. <input type="checkbox"/> Individual cooperative apartment</li> <li>d. <input type="checkbox"/> Commercial condominium unit</li> <li>e. <input type="checkbox"/> Commercial cooperative</li> <li>f. <input type="checkbox"/> Apartment building</li> <li>g. <input type="checkbox"/> Office building</li> <li>h. <input type="checkbox"/> Industrial building</li> <li>i. <input type="checkbox"/> Utility</li> <li>j. <input checked="" type="checkbox"/> OTHER. (describe): MULTIPLE PROPERTIES</li> </ul>	<p>Check box at LEFT if you intend to record a document related to this transfer. Check box at RIGHT if you do not intend to record a document related to this transfer.</p> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:10%;"></th> <th style="width:10%; text-align: center;">REC.</th> <th style="width:80%;"></th> <th style="width:10%; text-align: center;">NON REC.</th> </tr> </thead> <tbody> <tr> <td>a.</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Fee.....</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>b.</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Leasehold Grant .....</td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> <tr> <td>c.</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Leasehold Assignment or Surrender .....</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>d.</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Easement .....</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>e.</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Subterranean Rights .....</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>f.</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Development Rights .....</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>g.</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Stock .....</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>h.</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>Partnership Interest .....</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>i.</td> <td style="text-align: center;"><input type="checkbox"/></td> <td>OTHER. (describe): .....</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </tbody> </table>		REC.		NON REC.	a.	<input type="checkbox"/>	Fee.....	<input type="checkbox"/>	b.	<input type="checkbox"/>	Leasehold Grant .....	<input checked="" type="checkbox"/>	c.	<input type="checkbox"/>	Leasehold Assignment or Surrender .....	<input type="checkbox"/>	d.	<input type="checkbox"/>	Easement .....	<input type="checkbox"/>	e.	<input type="checkbox"/>	Subterranean Rights .....	<input type="checkbox"/>	f.	<input type="checkbox"/>	Development Rights .....	<input type="checkbox"/>	g.	<input type="checkbox"/>	Stock .....	<input type="checkbox"/>	h.	<input type="checkbox"/>	Partnership Interest .....	<input type="checkbox"/>	i.	<input type="checkbox"/>	OTHER. (describe): .....	<input type="checkbox"/>
	REC.		NON REC.																																						
a.	<input type="checkbox"/>	Fee.....	<input type="checkbox"/>																																						
b.	<input type="checkbox"/>	Leasehold Grant .....	<input checked="" type="checkbox"/>																																						
c.	<input type="checkbox"/>	Leasehold Assignment or Surrender .....	<input type="checkbox"/>																																						
d.	<input type="checkbox"/>	Easement .....	<input type="checkbox"/>																																						
e.	<input type="checkbox"/>	Subterranean Rights .....	<input type="checkbox"/>																																						
f.	<input type="checkbox"/>	Development Rights .....	<input type="checkbox"/>																																						
g.	<input type="checkbox"/>	Stock .....	<input type="checkbox"/>																																						
h.	<input type="checkbox"/>	Partnership Interest .....	<input type="checkbox"/>																																						
i.	<input type="checkbox"/>	OTHER. (describe): .....	<input type="checkbox"/>																																						

SCHEDULE 1 - DETAILS OF CONSIDERATION		
<p>COMPLETE THIS SCHEDULE FOR ALL TRANSFERS AFTER COMPLETING THE APPROPRIATE SCHEDULES ON PAGES 5 THROUGH 12. ENTER "ZERO" ON LINE 11 IF THE TRANSFER REPORTED WAS WITHOUT CONSIDERATION.</p>		
<ul style="list-style-type: none"> <li>1. Cash..... ● 1.</li> <li>2. Purchase money mortgage..... ● 2.</li> <li>3. Unpaid principal of pre-existing mortgage(s)..... ● 3.</li> <li>4. Accrued interest on pre-existing mortgage(s)..... ● 4.</li> <li>5. Accrued real estate taxes..... ● 5.</li> <li>6. Amounts of other liens on property..... ● 6.</li> <li>7. Value of shares of stock or of partnership interest received..... ● 7.</li> <li>8. Value of real or personal property received in exchange..... ● 8.</li> <li>9. Amount of Real Property Transfer Tax and/or other taxes or expenses of the grantor which are paid by the grantee..... ● 9.</li> <li>10. Other (describe):..... ● 10.</li> <li>11. <b>TOTAL CONSIDERATION</b> (add lines 1 through 10 - must equal amount entered on line 1 of Schedule 2) (see instructions)..... ● 11.</li> </ul>	\$	0 00
<p><b>See instructions for special rules relating to transfers of cooperative units, liquidations, marital settlements and transfers of property to a business entity in return for an interest in the entity.</b></p>		

SCHEDULE 2 - COMPUTATION OF TAX		
A. <b>Payment</b>	Pay amount shown on line 15 - See Instructions	Payment Enclosed
<ul style="list-style-type: none"> <li>1. Total Consideration (from line 11, above)..... ● 1.</li> <li>2. Excludable liens (see instructions)..... ● 2.</li> <li>3. Consideration (line 1 less line 2)..... ● 3.</li> <li>4. Tax Rate (see instructions)..... ● 4.</li> <li>5. HDFC Exemption (see Schedule L, line 15)..... ● 5.</li> <li>6. Consideration less HDFC Exemption (line 3 less line 5)..... ● 6.</li> <li>7. Percentage change in beneficial ownership (see instructions)..... ● 7.</li> <li>8. Taxable consideration (multiply line 6 by line 7)..... ● 8.</li> <li>9. Tax (multiply line 8 by line 4)..... ● 9.</li> <li>10. Credit (see instructions)..... ● 10.</li> <li>11. Transfer tax previously paid (see Schedule L, line 18)..... ● 11.</li> <li>12. Tax due (line 9 less line 10 and 11) (if the result is negative, enter zero)..... ● 12.</li> <li>13. Interest (see instructions)..... ● 13.</li> <li>14. Penalty (see instructions)..... ● 14.</li> <li>15. <b>Total Tax Due</b> (add lines 12, 13 and 14)..... ● 15.</li> </ul>	\$	0 00



## GRANTOR'S ATTORNEY ▼

Name of Attorney		Telephone Number (      )	
Address (number and street)		City and State	Zip Code
EMPLOYER IDENTIFICATION NUMBER	-	OR	SOCIAL SECURITY NUMBER

## GRANTEE'S ATTORNEY ▼

Name of Attorney				Telephone Number (       )						
Address (number and street)				City and State		Zip Code				
EMPLOYER IDENTIFICATION NUMBER	<div style="border: 1px solid black; width: 40px; height: 20px; margin: 0 auto;"></div>	-	<div style="border: 1px solid black; width: 100px; height: 20px; margin: 0 auto;"></div>	OR	SOCIAL SECURITY NUMBER	<div style="border: 1px solid black; width: 40px; height: 20px; margin: 0 auto;"></div>	-	<div style="border: 1px solid black; width: 40px; height: 20px; margin: 0 auto;"></div>	-	<div style="border: 1px solid black; width: 100px; height: 20px; margin: 0 auto;"></div>

**CERTIFICATION ▼**

I swear or affirm that this return, including any accompanying schedules, affidavits and attachments, has been examined by me and is, to the best of my knowledge, a true and complete return made in good faith, pursuant to Title 11, Chapter 21 of the Administrative Code and the regulations issued thereunder.

**GRANTOR**

Sworn to and subscribed to

before me on this \_\_\_\_\_ day

of \_\_\_\_\_,

Signature of Notary

EMPLOYER IDENTIFICATION NUMBER OR  
SOCIAL SECURITY NUMBER

M.M.B. ASSOCIATES, LLC

Name of Grantor

Signature of Grantor

## GRANTEE

Sworn to and subscribed to

before me on this \_\_\_\_\_ day

of \_\_\_\_\_,

Signature of Notary

EMPLOYER IDENTIFICATION NUMBER OR  
SOCIAL SECURITY NUMBER

VANDERBILT ATLANTIC  
HOLDINGS LLC

Name of Grantee

Signature of Grantee

Notary's  
stamp  
or seal

Notary's  
stamp  
or seal

TP-584 (4/13)

New York State Department of Taxation and Finance

Recording office time stamp



# **Combined Real Estate Transfer Tax Return, Credit Line Mortgage Certificate, and Certification of Exemption from the Payment of Estimated Personal Income Tax**

See Form TP-584-I, Instructions for Form TP-584, before completing this form. Print or type.

## **Schedule A — Information relating to conveyance**

<b>Grantor/Transferor</b> <input type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Estate/Trust <input checked="" type="checkbox"/> Single member LLC <input type="checkbox"/> Other	Name (if individual, last, first, middle initial) ( <input type="checkbox"/> check if more than one grantor )	Social security number
	M.M.B. ASSOCIATES, LLC	
	Mailing address C/O CROSSTOWN COMPANIES, 97-77 QUEENS BOULEVARD, S	Social security number
	City State ZIP code	Federal EIN
	REGO PARK NY 11374	
	Single member's name if grantor is a single member LLC (see instructions)	Single member EIN or SSN
	MUSTO, ANTHONY	
<b>Grantee/Transferee</b> <input type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Estate/Trust <input checked="" type="checkbox"/> Single member LLC <input type="checkbox"/> Other	Name (if individual, last, first, middle initial) ( <input type="checkbox"/> check if more than one grantee )	Social security number
	VANDERBILT ATLANTIC HOLDINGS LLC	
	Mailing address 390 BERRY STREET, SUITE 201	Social security number
	City State ZIP code	Federal EIN
	BROOKLYN NY 11249	
	Single member's name if grantee is a single member LLC (see instructions)	Single member EIN or SSN
	DUSHINSKY, SIMON	

### Location and description of property conveyed

Tax map designation - Section, block & lot (include dots and dashes)	SWIS code (six digits)	Street address	City, town, or village	County
3 - 1122 - 1	650000	547 VANDERBILT AVENUE	NEW YORK	BROOKLYN / KINGS

### Type of property conveyed (check applicable box)

1 <input type="checkbox"/> One- to three-family house	5 <input type="checkbox"/> Commercial/Industrial	Date of conveyance <table border="1"> <tr> <td>11</td> <td>21</td> <td>2017</td> </tr> <tr> <td>month</td> <td>day</td> <td>year</td> </tr> </table>	11	21	2017	month	day	year	Percentage of real property conveyed which is residential real property <u>0.00</u> % (see instructions)
11	21		2017						
month	day		year						
2 <input type="checkbox"/> Residential cooperative	6 <input type="checkbox"/> Apartment building								
3 <input type="checkbox"/> Residential condominium	7 <input type="checkbox"/> Office building								
4 <input type="checkbox"/> Vacant land	8 <input checked="" type="checkbox"/> Other <u>MULTIPLE PROPERTIES</u>								

### Condition of conveyance (check all that apply) f.

a. <input type="checkbox"/> Conveyance of fee interest	f. <input type="checkbox"/> Conveyance which consists of a mere change of identity or form of ownership or organization (attach Form TP-584.1, Schedule F)	i. <input type="checkbox"/> Option assignment or surrender
b. <input type="checkbox"/> Acquisition of a controlling interest (state percentage acquired _____%)	g. <input type="checkbox"/> Conveyance for which credit for tax previously paid will be claimed (attach Form TP-584.1, Schedule G)	m. <input type="checkbox"/> Leasehold assignment or surrender
c. <input type="checkbox"/> Transfer of a controlling interest (state percentage transferred _____%)	h. <input type="checkbox"/> Conveyance of cooperative apartment(s)	n. <input checked="" type="checkbox"/> Leasehold grant
d. <input type="checkbox"/> Conveyance to cooperative housing corporation	i. <input type="checkbox"/> Syndication	o. <input type="checkbox"/> Conveyance of an easement
e. <input type="checkbox"/> Conveyance pursuant to or in lieu of foreclosure or enforcement of security interest (attach Form TP-584.1, Schedule E)	j. <input type="checkbox"/> Conveyance of air rights or development rights	p. <input type="checkbox"/> Conveyance for which exemption from transfer tax claimed (complete Schedule B, Part III)
	k. <input type="checkbox"/> Contract assignment	q. <input type="checkbox"/> Conveyance of property partly within and partly outside the state
		r. <input type="checkbox"/> Conveyance pursuant to divorce or separation
		s. <input checked="" type="checkbox"/> Other (describe) <u>MEMORANDUM OF LEASE</u>

For recording officer's use	Amount received	Date received	Transaction number
	Schedule B., Part I \$		
	Schedule B., Part II \$		

201711210011730105

VA 021582

**TP - 584 Location and description of property conveyed****ATTACHMENT**

Tax map designation			Address	City/village	Town	County
Section	Block	Lot				
3	1122	68	N/A PACIFIC STREET	NEW YORK		BROOKLYN / KINGS
3	1122	71	847 PACIFIC STREET	NEW YORK		BROOKLYN / KINGS

201711210011730105



**Schedule B — Real estate transfer tax return (Tax Law, Article 31)**

**Part I — Computation of tax due**

- 1 Enter amount of consideration for the conveyance (if you are claiming a total exemption from tax, check the exemption claimed box, enter consideration and proceed to Part III) ..... ☐ **Exemption claimed**
- 2 Continuing lien deduction (see instructions if property is taken subject to mortgage or lien) .....
- 3 Taxable consideration (subtract line 2 from line 1) .....
- 4 Tax: \$2 for each \$500, or fractional part thereof, of consideration on line 3 .....
- 5 Amount of credit claimed for tax previously paid (see instructions and attach Form TP-584.1, Schedule G) .....
- 6 Total tax due\* (subtract line 5 from line 4) .....

1.	7,000,000	00
2.		00
3.	7,000,000	00
4.	28,000	00
5.		00
6.	28,000	00

**Part II — Computation of additional tax due on the conveyance of residential real property for \$1 million or more**

- 1 Enter amount of consideration for conveyance (from Part I, line 1) .....
- 2 Taxable consideration (multiply line 1 by the percentage of the premises which is residential real property, as shown in Schedule A) .....
- 3 Total additional transfer tax due\* (multiply line 2 by 1% (.01)) .....

1.	7,000,000	00
2.		00
3.		00

**Part III — Explanation of exemption claimed on Part I, line 1 (check any boxes that apply)**

The conveyance of real property is exempt from the real estate transfer tax for the following reason:

- a. Conveyance is to the United Nations, the United States of America, the state of New York, or any of their instrumentalities, agencies, or political subdivisions (or any public corporation, including a public corporation created pursuant to agreement or compact with another state or Canada) ..... a ☐
- b. Conveyance is to secure a debt or other obligation ..... b ☐
- c. Conveyance is without additional consideration to confirm, correct, modify, or supplement a prior conveyance ..... c ☐
- d. Conveyance of real property is without consideration and not in connection with a sale, including conveyances conveying realty as bona fide gifts ..... d ☐
- e. Conveyance is given in connection with a tax sale ..... e ☐
- f. Conveyance is a mere change of identity or form of ownership or organization where there is no change in beneficial ownership. (This exemption cannot be claimed for a conveyance to a cooperative housing corporation of real property comprising the cooperative dwelling or dwellings.) Attach Form TP-584.1, Schedule F ..... f ☐
- g. Conveyance consists of deed of partition ..... g ☐
- h. Conveyance is given pursuant to the federal Bankruptcy Act ..... h ☐
- i. Conveyance consists of the execution of a contract to sell real property, without the use or occupancy of such property, or the granting of an option to purchase real property, without the use or occupancy of such property ..... i ☐
- j. Conveyance of an option or contract to purchase real property with the use or occupancy of such property where the consideration is less than \$200,000 and such property was used solely by the grantor as the grantor's personal residence and consists of a one-, two-, or three-family house, an individual residential condominium unit, or the sale of stock in a cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold covering an individual residential cooperative apartment ..... j ☐
- k. Conveyance is not a conveyance within the meaning of Tax Law, Article 31, section 1401(e) (attach documents supporting such claim) ..... k ☐

\*The total tax (from Part I, line 6 and Part II, line 3 above) is due within 15 days from the date conveyance. Please make check(s) payable to the county clerk where the recording is to take place. If the recording is to take place in the New York City boroughs of Manhattan, Bronx, Brooklyn, or Queens, make check(s) payable to the **NYC Department of Finance**. If a recording is not required, send this return and your check(s) made payable to the **NYS Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-5045.

201711210011730105

VA 021584



**Schedule C — Credit Line Mortgage Certificate** (Tax Law, Article 11)

Complete the following only if the interest being transferred is a fee simple interest.

I (we) certify that: (check the appropriate box)

1. ☒ The real property being sold or transferred is not subject to an outstanding credit line mortgage.
2. ☐ The real property being sold or transferred is subject to an outstanding credit line mortgage. However, an exemption from the tax is claimed for the following reason:
  - ☐ The transfer of real property is a transfer of a fee simple interest to a person or persons who held a fee simple interest in the real property (whether as a joint tenant, a tenant in common or otherwise) immediately before the transfer.
  - ☐ The transfer of real property is (A) to a person or persons related by blood, marriage or adoption to the original obligor or to one or more of the original obligors or (B) to a person or entity where 50% or more of the beneficial interest in such real property after the transfer is held by the transferor or such related person or persons (as in the case of a transfer to a trustee for the benefit of a minor or the transfer to a trust for the benefit of the transferor).
  - ☐ The transfer of real property is a transfer to a trustee in bankruptcy, a receiver, assignee, or other officer of a court.
  - ☐ The maximum principal amount secured by the credit line mortgage is \$3,000,000 or more, and the real property being sold or transferred is **not** principally improved nor will it be improved by a one- to six-family owner-occupied residence or dwelling.

**Please note:** for purposes of determining whether the maximum principal amount secured is \$3,000,000 or more as described above, the amounts secured by two or more credit line mortgages may be aggregated under certain circumstances. See TSB-M-96(6)-R for more information regarding these aggregation requirements.

- ☐ Other (attach detailed explanation).
3. ☐ The real property being transferred is presently subject to an outstanding credit line mortgage. However, no tax is due for the following reason:
    - ☐ A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed.
    - ☐ A check has been drawn payable for transmission to the credit line mortgagee or his agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available.
  4. ☐ The real property being transferred is subject to an outstanding credit line mortgage recorded in \_\_\_\_\_ (insert liber and page or reel or other identification of the mortgage). The maximum principal amount of debt or obligation secured by the mortgage is \_\_\_\_\_. No exemption from tax is claimed and the tax of \_\_\_\_\_ is being paid herewith. (Make check payable to county clerk where deed will be recorded or, if the recording is to take place in New York City but not in Richmond County, make check payable to the **NYC Department of Finance**.)

**Signature (both the grantor(s) and grantee(s) must sign)**

The undersigned certify that the above information contained in schedules A, B, and C, including any return, certification, schedule, or attachment, is to the best of his/her knowledge, true and complete, and authorize the person(s) submitting such form on their behalf to receive a copy for purposes of recording the deed or other instrument effecting the conveyance.

Grantor signature	Title	Grantee signature	Title
Grantor signature	Title	Grantee signature	Title

**Reminder:** Did you complete all of the required information in Schedules A, B, and C? Are you required to complete Schedule D? If you checked e, f, or g in Schedule A, did you complete Form TP-584.1? Have you attached your check(s) made payable to the county clerk where recording will take place or, if the recording is in the New York City boroughs of Manhattan, Bronx, Brooklyn, or Queens, to the **NYC Department of Finance**? If no recording is required, send your check(s), made payable to the **Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-5045.

2017112100117301

VA 021585

---

**Signature (both the grantor(s) and grantee(s) must sign)**

---

The undersigned certify that the above information contained in schedules A, B, and C, including any return, certification, schedule, or attachment, is to the best of his/her knowledge, true and complete, and authorize the person(s) submitting such form on their behalf to receive a copy for purposes of recording the deed or other instrument effecting the conveyance.

---

Grantor signature

---

Title

---

Grantee signature

---

Title

---

Grantor signature

---

Title

---

Grantee signature

---

Title

2017112100117301



**Schedule D - Certification of exemption from the payment of estimated personal income tax (Tax Law, Article 22, section 663)**

Complete the following only if a fee simple interest or a cooperative unit is being transferred by an individual or estate or trust.

If the property is being conveyed by a referee pursuant to a foreclosure proceeding, proceed to Part II, and check the second box under Exemptions for nonresident transferor(s)/seller(s) and sign at bottom.

**Part I - New York State residents**

If you are a New York State resident transferor(s)/seller(s) listed in Schedule A of Form TP-584 (or an attachment to Form TP-584), you must sign the certification below. If one or more transferors/sellers of the real property or cooperative unit is a resident of New York State, each resident transferor/seller must sign in the space provided. If more space is needed, please photocopy this Schedule D and submit as many schedules as necessary to accommodate all resident transferors/sellers.

**Certification of resident transferor(s)/seller(s)**

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor(s)/seller(s) as signed below was a resident of New York State, and therefore is not required to pay estimated personal income tax under Tax Law, section 663(a) upon the sale or transfer of this real property or cooperative unit.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

**Note:** A resident of New York State may still be required to pay estimated tax under Tax Law, section 685(c), but not as a condition of recording a deed.

**Part II - Nonresidents of New York State**

If you are a nonresident of New York State listed as a transferor/seller in Schedule A of Form TP-584 (or an attachment to Form TP-584) but are not required to pay estimated personal income tax because one of the exemptions below applies under Tax Law, section 663(c), check the box of the appropriate exemption below. If any one of the exemptions below applies to the transferor(s)/seller(s), that transferor(s)/seller(s) is not required to pay estimated personal income tax to New York State under Tax Law, section 663. Each nonresident transferor/seller who qualifies under one of the exemptions below must sign in the space provided. If more space is needed, please photocopy this Schedule D and submit as many schedules as necessary to accommodate all nonresident transferors/sellers.

If none of these exemption statements apply, you must complete Form IT-2663, *Nonresident Real Property Estimated Income Tax Payment Form*, or Form IT-2664, *Nonresident Cooperative Unit Estimated Income Tax Payment Form*. For more information, see *Payment of estimated personal income tax*, on page 1 of Form TP-584-I.

**Exemption for nonresident transferor(s)/seller(s)**

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor(s)/seller(s) (grantor) of this real property or cooperative unit was a nonresident of New York State, but is not required to pay estimated personal income tax under Tax Law, section 663 due to one of the following exemptions:

- ☐ The real property or cooperative unit being sold or transferred qualifies in total as the transferor's/seller's principal residence (within the meaning of Internal Revenue Code, section 121) from \_\_\_\_\_ Date \_\_\_\_\_ to \_\_\_\_\_ Date \_\_\_\_\_ (see instructions).
- ☐ The transferor/seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure, or in lieu of foreclosure with no additional consideration.
- ☐ The transferor or transferee is an agency or authority of the United States of America, an agency or authority of the state of New York, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

2017112100117301

VA 021587

**Certification of resident transferor(s)/seller(s)**

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor(s)/seller(s) as signed below was a resident of New York State, and therefore is not required to pay estimated personal income tax under Tax Law, section 663(a) upon the sale or transfer of this real property or cooperative unit.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

**Exemption for nonresident transferor(s)/seller(s)**

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor(s)/seller(s) (grantor) of this real property or cooperative unit was a nonresident of New York State, but is not required to pay estimated personal income tax under Tax Law, section 663 due to one of the following exemptions:

- ☐ The real property or cooperative unit being sold or transferred qualifies in total as the transferor's/seller's principal residence (within the meaning of Internal Revenue Code, section 121) from \_\_\_\_\_ to \_\_\_\_\_ (see instructions).  
Date Date
- ☐ The transferor/seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure, or in lieu of foreclosure with no additional consideration.
- ☐ The transferor or transferee is an agency or authority of the United States of America, an agency or authority of the state of New York, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

2017112100117301

VA 021588